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a. 🔯 no such applications have been filed.

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#### COMBINED DECLARATION AND POWER OF ATTORNEY

name; that As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my

INDUCING ORGAN TRANSPLANT TOLERANCE AND CORRECTING HEMOGLOBINOPATHIES named below) I the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS OF I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are

n application(s) for patent or inventor's	I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign
tion in accordance with Title 37, Code of	I sekmowledge the duty to disclose information which is material to the patentability of this applica Federal Regulations, § 1.56 (attached hereto).
t, including the claims, as amended by	I hereby state that I have reviewed and understand the contents of the above-identified specification any amendment referred to above.
(if applicable) (in the case of a PCT- (if any), which I have reviewed	The specification of which as filed on January 25, 2002 as applications serial no. 10/057,288 and was amended on filed application) described and claimed in international no. filed application and as amended on filed application and states patent.

that of the application on the basis of which priority is claimed: certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
)d	EIGN APPLICATION(S), IF ANY, CI	Laiming Priority under 15	611 5 05
b. Such applications have be	Ifica 88 Ioliows:		

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	ALL FOREIGN APPLICATION(S), IF ANY,	FILED BEFORE THE PRIORITY	VAPLICATION(S)
		(day, month, year)	(day, month, year)
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

or PCT international filing date of this application. defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national manner pr vided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as below and, insolar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(a) listed

STATUS (patented, pending, abandoued)	DATE OF FILING (day, month, year)	U.S. APPLICATION NUMBER

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

DATE OF FILING (Day, Month, Year)	U.S. PROVISIONAL APPLICATION NUMBER
January 26, 2001	80/264,528
1002 ; Z001	60/303,142



I hereby appoint the following attorneys and agents associated with Customer No. 23914, respectively and individually, as my attorneys and agents, with full power funbritation, to prosecute this application said to transact all business in the Patent and Trademark Office. connected therewith.

Please direct all communication to the address associated with Customer No. 23914, which is currently:

Stephen B. Davis
Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, New Jersey 08543-4000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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	Full Name	Panily Name	First Glven Name		Second Civen Name
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	Full Name	Family Vame	First Civen Name		Second Given Name

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### § 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings fall information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability fa claim;
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatentability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary c neclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



# MANDEL & ADILIANO

## United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my · name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are

	natter which is claimed and for which is claimed and for which is claimed and for which is considered and constant and con		invention entitled: METHODS OF INOPATHIES
The specification of which  a.  is attached hereto  b.  was filed on January 25  filed application) described an  and for which I solicit a Unite		/057,288 and was amended filed and as amen	
I hereby state that I have revieusly amendment referred to ab		of the above-identified speci	fication, including the claims, as amended by
Lacknowledge the duty to disc Federal Regulations, § 1.56 (a		to the patentability of this	application in accordance with Title 37, Code o
certificate listed below and ha			y foreign application(s) for patent or inventor's inventor's certificate having a filing date before
a. 🛛 no such applications hab. 🗌 such applications have			
	FOREIGN APPLICATION(S), IF ANY,	CLAIMING PRIORITY UND	ER 35 USC § 119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
AT I	OREIGN APPLICATION(S), IF ANY,	PILED RECORD THE POLORI	TV APPLICATION(\$)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
below and, insofar as the subjection of the first p	ect matter of each of the claims of saragraph of Title 35, United States ederal Regulations, § 1.56(a) which of this application.	this application is not disclo i Code, § 112, I acknowled;	es and PCT international application(s) listed osed in the prior United States application in the gethe duty to disclose material information as ang date of the prior application and the national STATUS (patented, pending, abandoned)

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Munth, Year)	
60/264,528	January 26, 2001	
60/303,142	July 5. 2001	

4047273520;

I hereby appoint the following attorneys and agents associated with Customer No. 23914, respectively and individually, as my attorneys and agents, with full power of substitution, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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Patent Department
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Princeton, New Jersey 08543-4000

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Full Name Of Inventor  Part Office Address Citizenship Address First Given Name Christian  First Given Name Christian  Second Given Name P.  Country of Citizenship US  Country of Citizenship US  City Address City Country Coun	D. W.
Residence City & Citizenship Atlanta  Post Office Post Office Address Address 2727 Briarlake Woods Way  Signature of Inventor 201:  Pull Name Of Inventor  Pearson  State & Zip Code/Country Georgia  City Atlanta  City Atlanta  Date:  Pirst Given Name Thomas  C.	
& Citizenship Atlanta Georgia US  Post Office Post Office Address City State & Zip Code/Country Georgia 30345/ USA  Signature of Inventor 201:  Pull Name Family Name Pearson  Pirst Given Name Thornas  Country of Citizenship US  State & Zip Code/Country Georgia 30345/ USA  Pirst Given Name Country Of Citizenship US  State & Zip Code/Country Georgia 30345/ USA  Signature of Inventor 201:  Date:  Country of Citizenship US  State & Zip Code/Country Georgia 30345/ USA  Signature of Inventor 201:  Date:	
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de Citizenship   Atlanta   Georgia   US	
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